

**STATE OF MICHIGAN
IN THE SUPREME COURT**

COMPLAINT AGAINST

Hon. Brenda K. Sanders
36th District Court
421 Madison Street
Detroit, Michigan 48226

**Formal Complaint No. 95
SC: 14951**

Paul J. Fischer (P35454)
Attorney for Petitioner
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Detroit, Michigan 49202
(313) 875-5110

Brian D. Einhorn (13130)
Attorney for Respondent
4000 Town Center, Suite 900
Southfield, Michigan 48075
(248) 351-5414

SUPPLEMENTAL PETITION FOR INTERIM SUSPENSION WITHOUT PAY

The Judicial Tenure Commission ("Commission"), through its attorneys, Paul J. Fischer and Margaret N.S. Rynier, supplement its Petition for this Honorable Court to suspend the Hon. Brenda K. Sanders ("Respondent"), without pay, for the reasons set forth below, and as supported by the appended attachments and affidavits.

1. Respondent is, and at all material times was, a judge of the 36th District Court in Detroit, Michigan.
2. As a judge, she is subject to all the duties and responsibilities imposed on judges by the Michigan Supreme Court, and she is subject to the standards for discipline set forth in MCR 9.104 and MCR 9.205.
3. On June 23, 2014, the Commission filed with this Court a Petition for Interim Suspension Without Pay.

4. On July 17, 2014, this Court issued an order, which, among other things, directed the Commission to schedule for Respondent an independent medical examination with a psychiatrist of the Commission's choice.

5. The Court also ordered the examination to be conducted within 30 days of July 17, 2014 to determine whether Respondent suffers from any psychiatric disorders and, in light of the Canons of Judicial Conduct, whether Respondent lacks the requisite fitness to serve as a judge.

6. Despite this Court's directive that Respondent "shall cooperate" with the psychiatrist and provide such information as the independent medical examiner shall reasonably request, Respondent refused/failed to appear for two separate appointments scheduled for her with Dr. Norman Miller.

7. Respondent has also failed to appear for three appointments scheduled for her with Dr. Miller prior to this Court's July 17, 2014 order.

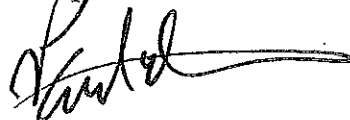
8. On August 27, 2014 Dr. Miller issued a final report and affidavit wherein he opined that Respondent suffers from insane delusions at this time and is likely to remain so indefinitely. A copy of Dr. Miller's affidavit and report are attached as Exhibit A.

9. Dr. Miller further opined that Respondent should not be sitting in judgment of anyone until she is determined to be free of the psychosis and insane delusions that render her a danger to self and others.

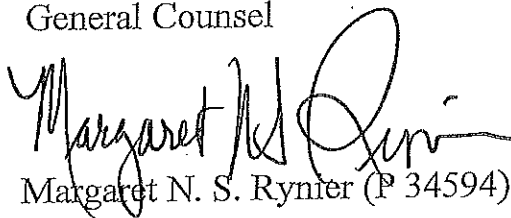
10. The Commission reaffirms its prior petition for interim suspension. In light of its decision to issue a formal complaint against Respondent, and in light of Dr. Miller's opinions, the Commission urges the Court to suspend Respondent immediately and that that suspension be without pay for all the reasons set forth in the original petition, i.e., that she fraudulently went on sick leave alleging a knee problem and has been receiving her regular salary ever since September 18, 2013.

WHEREFORE, the Michigan Judicial Tenure Commission respectfully requests that this Court enter an order immediately suspending Respondent, without pay, from her judicial position and from performing all judicial duties pending final adjudication of the formal complaint.

Respectfully submitted,



Paul J. Fischer (P 35454)
Executive Director and
General Counsel



Margaret N. S. Rynier (P 34594)
Staff Attorney

STATE OF MICHIGAN
BEFORE THE JUDICIAL TENURE COMMISSION


In the Matter of:

Hon. Brenda K. Sanders
36th District Court
421 Madison St.
Detroit, MI 48226

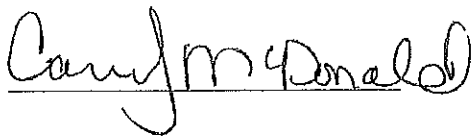
RFI 2013-20572

AFFIDAVIT OF NORMAN S. MILLER, MD JD

1. I am a duly licensed psychiatrist in the State of Michigan, and I have been since 1976.
2. I am Board certified in psychiatry, with subspecialty certifications in forensic psychiatry and addiction psychiatry.
3. If called as a witness, I can competently testify to the matters in this affidavit.
4. Pursuant to a request from the Judicial Tenure Commission ("JTC") made following an order of the Michigan Supreme Court, I agreed to examine Judge Brenda K. Sanders. Judge Sanders never appeared for any of the examination dates.
5. Nevertheless, I have formed an opinion regarding Judge Sanders based on documents the JTC provided me which pertain to its investigation of the Judge Sanders and her correspondence.
6. I have prepared a report dated August 27, 2014, a copy of which I have attached to this affidavit, and which I incorporate by reference.
7. I believe that Judge Sanders is psychotic and suffers from insane delusions at this time and is likely to remain so indefinitely. She should not be sitting in judgment of anyone until she is determined to be free of the psychosis and insane delusions that render her a danger to self and others.

By: 
Norman S. Miller, MD, JD
Affiant

Subscribed and sworn to before me, a notary
public in County. My commission expires
7-23-2018.



CARMEN J. McDONALD
NOTARY PUBLIC, STATE OF MI
COUNTY OF INGHAM
MY COMMISSION EXPIRES Jul 23, 2018
ACTING IN COUNTY OF Ingham

Norman S. Miller

Medical Offices of Norman S. Miller, M.D., J.D., PLLC
2760 East Lansing Drive, Ste 3
East Lansing, Michigan 48823
Phone (517) 507 0407
Fax (517) 803 4387
norman.miller@ht.msu.edu

August 27, 2014

Attn: Paul J. Fischer, ESQ.
Executive Director & General Counsel
3034 W Grand Blvd
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Cadillac Place Building
Detroit, MI 48202
Telephone (313) 875-5110
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Re: Judge Brenda Sanders

Records Reviewed:

Judgment Landlord-Tenant, Case No: 12-307887-LT, Branch Banking & Trust Company v. Brenda Sanders on 10/14/2013

Judgment Landlord-Tenant, Case No: 14-320632-LT, Dana Thompson v. Brenda Sanders on 9/2/2014

Detroit Medical Center, Gary G Gilyard, MD Surgery Scheduled for 4/10/14

St. John Providence, Aaron Maddox, MD Medical Prescription on 9/19/13

Letter from Gary G Gilyard, MD concerning bilateral knee on 1/27/14

Michigan Judicial Tenure Commission Request for Investigation Form received on May 14, 2013

Letter from Judge Brenda Sanders concerning Judge Zelenak's alleged violation of Michigan code of Judicial Conduct

Email from Judge Brenda Sanders, documenting conversation between Judge King and herself, on June 7, 2012

Email from Judge Brenda Sanders to self, documenting another meeting with Judge King, on August 29, 2012

Email from Judge Brenda Sanders to self, documenting meeting with Judge King and Judge Milhouse, on August 29, 2012

Email from Judge Brenda Sanders to self, documenting telephone conversation with Judge King, on August 31, 2012

Email from Judge Brenda Sanders to self, believes Judge King is attempting to slander her reputation, on August 31, 2012

Letter from Judge Brenda Sanders to U.S. Attorney Barbra McQuade dated December 20, 2013

Mrs. Barbra McQuade
US Attorney
US Attorney's Office
Detroit, Michigan

Dear Attorney McQuade:

I am writing this letter because there are a lot of events transpiring in the Detroit area that involve judges and public officials. I have been personally affected by all of the events that I would like you to investigate. Most of these events I have already reported to the Detroit Police and Federal Bureau of Investigation. I met with the two agents for the Federal Bureau of Investigation on two occasions. Other events have transpired since that time and I am also providing supporting documents which provide proof for most of the information that I am providing to you.

There has been the constant attempt to slander and defame my name by the Michigan Supreme Court and the Michigan Judicial Tenure Commission. I complained to the Justice Department in 2009 when I was first elected and I am complaining now. No action was taken by the Justice Department at the time either. I was a target of the corruption in an attempt to eliminate me from the 36th Judicial District Court bench even before I was sworn in as a judge in December, 2008. I was first elected in November, 2008. This is my second time being investigated by the Judicial Tenure Commission. I have included a copy of the Request for Investigation from the Michigan Judicial Tenure Commission for your review.

I would first like to say that there are judges who have suddenly died under suspicious circumstances in the last two years. I believe that they were murdered because they spoke out against some of the wrongs that were being committed at the court. One newspaper tried to name me as a suspect in one of the murders. I was at work on the day of the crime. The Chief Judge of the court was interviewed on the scene of the crime allegedly when my name was mentioned. The Detroit Free Press indicated that I was a hotly contested race with one of the judges possibly suggesting that I may be a suspect. My former opponent allegedly committed suicide and the cause of death was never revealed or discussed extensively. The last event occurred recently in November, 2013. I fear for my safety based on what I have experienced and I carry a weapon legally as a result of a concealed weapon permit.

I believe that the Republican Party is the reason why these events have taken place even though some judges have participated in the misconduct.

- I was evicted from my house by the former law firm of a current Michigan Supreme Court Justice, David Viviano;
- Essentially the Supreme Court of Michigan evicted me from my residence, a definite conflict of interests;
- The former law firm of a current Supreme Court Justice, Viviano, Howlett and Pagano, P.C. represented the banks that claimed to be the owners of my home;

- Recently on my job as a 36th Judicial District Court Judge, investigations began against me regarding my judicial authority to sequester witnesses'
- The issue was a smoke screen and really represented an attempt to harass me and intimidate me;
- The Michigan Supreme Court refused to allow the court attorney to represent me, (the representation of judges in such an instance is her normal function) and therefore, I was forced to represent myself.
- The charges were contrived, I was moved over to the criminal docket at the court even though I had seniority over many of the judges that actually requested the criminal docket.
- I objected to the reassignment of me to the criminal docket by the Chief Judge;
- I was singled out and I was the only judge moved over to the criminal docket. All other judges were allowed to remain on their chosen dockets.
- Soon thereafter, the current investigation started against me by the Michigan Judicial Tenure Commission (the prosecution arm of the Michigan Supreme Court)
- Additionally, the eviction from my home by the former law firm of a current Michigan Supreme Court to hear my case;
- Even after the eviction, the Viviano law firm has continued to subpoena my personal records from various entities illegally. When I protested, all of my money was taken out of bank accounts the same day;
- I am now being audited by the IRS and the City of Detroit Income Tax Division;
- Derogatory information has been placed on my credit report which has caused a downgrade in my credit rating and payments that I have submitted through my bank to creditors have been delayed or rejected causing a financial mess;
- Even though I have a valid basis in support of my defense to the eviction (summary proceedings action) I offered to settle the case and to purchase the house with proper financing. The house was only value at \$181,000.
- Since that time, Viviano law firm has garnished my wages, refused to settle with me, attach liens form future income tax returns, been the impetus for present attempts to audit me from all of the income tax agencies and has indicated that they will inquire about settling the case, although they have refused to discuss any settlements with me;
- Viviano has now indicated that they do not wish to enter a payment agreement and have started garnishing my wages;
- I believe that all of these actions is a repeat attempt to destroy my name and to make me potentially unelectable in the next upcoming election year;
- Special Administrator, Michael Talbot, came into the court I believe to threaten myself and other judges; Michael Talbot was also instrumental in the current investigation against me as he personally decided that I did not need representation in the lawsuit pending in the Wayne County Circuit Court (Writ for Superintending Control). I was left without representation and submitted a response to the allegations.
- Subsequently, the Requests for Investigators were filed by the Michigan Judicial Tenure Commission;
- I also have proof that my medical doctors were influenced by my employer to the extent that I was medically harmed; I can explain all of it if I am allowed to further explain this situation;
- All of my email accounts, bank accounts, cell phones, etc. have been hacked and currently being tracked;

- I hired a computer company to monitor the hackers and they recently informed me that even my old email s that I used seven and eight years ago have been hacked and spam emails and viruses have been released into these emails; I have the information for you (utech(google)) is the name of the company;
- I am in need of medical procedures, however, I am afraid that I may not make it out of the operating room, therefore, I have delayed the procedures. (knee surgeries)
- There has been a massive attempt to dismantle the 36th Judicial District Court which is one of the busiest courts in the nation;
- The media has attempted to publish the court is mismanaged and that the judges are ineffective;
- I believe that these statements have been used as a platform to eliminate judges form the 36th Judicial District Court;
- This is the second time I have been targeted by the Michigan Supreme Court right before an election;
- The first time was during the 2009 Special Election; The Michigan Judicial Tenure Commission started an investigation against me for being in the City of Detroit Mayoral race and then formed me that I was not to speak publicly in any way;
- An unidentified citizen filed a Request for Investigation against me with the Judicial Tenure Commission on November 9, 2008. I was elected on November 6, 2008.
- The Judicial Tenure Commission did not inform me about this pending Request for Investigation until February 2, 2009 which my first day on the bench as judge;
- If I had known about the pending investigation I would have delayed my swearing in as judge and participated in the mayor's race;
- I suspected corruption at the time of the 2009 mayoral special election because I received approximately 140,000 votes on November 6, 2008 and only 199 votes in the mayoral election which was just three months later.
- Because I forbidden to speak about anything about the mayor's race at the time, I focused on the investigations that were pending against me as a new judge of the 36th Judicial District Court;
- During the first investigation; I offered to submit to polygraph examinations to clear my name; some of the charges were dismissed;
- I am once again being investigated at the time I am facing a re-election year;
- I offered to submit to a polygraph examination for the Michigan Judicial Tenure Commission and the FBI;
- Instead, the investigations have focused on me;
- There was also evidence of mail fraud concerning my former address which I reported to the judges assigned by the Michigan Supreme Court. The judge appointed by the Michigan Supreme Court advised me that I could be charged with tampering with mail if I continued to report mail fraud;
- I also reported that my mail was being stolen at the place of my employment to the US Postal Service; I turned over original check that was evidence of the fraud and I have not been contacted any more regarding that investigation;
- I also reported that mail continues to be stolen at my place of employment and it continues to be stolen today;
- I have tons of documents which demonstrate these facts if you are interested;
- I have only provided a portion of those documents for you in this package.
- Arson was threatened against me if I moved to my present residence, however, because I was not able to secure housing elsewhere, I moved here anyway;

- The homes of another influential person in Detroit area were recently torched, I believe because he spoke out against the court or some issue dealing indirectly with the court; I know that he had a case that was previously pending before me and there was evidence of injustice. I was removed from the case and another judge was assigned the case;
- The level of harassment is rising as we proceed to this next re-election campaign. I would like to be protected while I seek medical attention during the Christmas holidays.
- I believe that at any given point I could be in danger. I would like your help.

Thank you

My contact information is:

Brenda K Sanders

(313) 598-4338

(313) 926-7654

brendaksanders@live.com

My cell phones and emails are tracked and/or hacked. I try to be very careful, it is a desperate situation as I believe that my life could be at stake.

Summary of Records Reviewed

Judge Brenda K Sanders is a judge of the 36th District Court in Detroit. She was first elected in November 2008 and took office on January 1, 2009. However, as her first day on the job as a judge she already had dealings with the JTC, as she decided to run for Mayor of Detroit (this was during the time that Kwame Kilpatrick had left office, and an election was being held to fill the rest of his term). Despite the fact that the Michigan constitution and the Code of Judicial Conduct prohibits judges (and judicial candidates) from running for elections as anything *other* than judge, Judge Sanders did so anyways. She violated a number of canons, including serving as her own treasurer and personally soliciting campaign donations. She agreed that her conduct violate the code of conduct, and she consented to be disciplined. The Michigan Supreme Court publicly censured her and suspended her for 21 days without pay.

In 2013, she filed her own (barely intelligible) grievance against the judge who was presiding over her being evicted from her apartment. Later, a grievance was filed against her based on her policy of closing her courtroom to the public. Subsequent investigation uncovered evidence that Judge Sanders may have committed other acts of misconduct that included providing false medication information in support of her request for a long term medical leave. The investigation also raised a serious concern as to the Judge Sander's mental fitness to perform her judicial duties.

The grievance against Judge Sanders was filed by the State Court Administrative Office Regional Administration, Deborah Green, who reported that while sequestering witnesses in one case, Judge Sanders order *all* victims and witnesses in *all* other cases pending before her on that day to also leave the court. Ms. Green stated that Judge Sanders not only failed to comply with the requirements of MCR 8.116 by not providing specific reasons for limiting access to the court, by not narrowly tailoring her order to accommodate the interest to be protected, and by not allowing for the filing of a motion to set aside her order, Judge Sanders dealt with objections to her policy by threatening contempt of court and incarceration.

Ms. Green also stated that Judge Sanders never filed a copy of a closer order with the State Court Administrative Office, as required by MCR 8.226 (D) (3). Included with the grievance, were transcripts from several preliminary examinations held before Judge Sanders as well as affidavits of four assistant prosecutors who had appeared in Judge Sanders's court and who had witnessed her sequestration policy first hand.

While investigating that matter, the JTC also asked Judge Sander to comment on the rambling and at times incoherent allegations of conspiracy she made against Judge Zelenak (the judge presiding over her eviction) and against the 36th District Court's then chief judge Kenneth King (her administrative superior). After the initial request for comments was submitted to Judge Sanders and prior to receiving her answers, the JTC obtained information that raised questions as to Judge Sanders's residency following her eviction, her failure to provide SCAO with a new address, and her failure to file a change of address with the Secretary of State (SOS) as required by MCL 257.315. The new information also brought into question the legitimacy of the basis that Judge Sanders provided for her long term leave of absence she had been on since September of 2013. Finally Judge Sanders's conduct during the investigative process created additional concerns about her mental stability.

As to Judge Sanders's residency status, Ms. Green reported that the court officer who assisted Judge Sanders in moving her belongings after the eviction claimed that Judge Sanders had made representations that she had no place to live, that she was placing her belongings in a storage facility, and that she was going to South Carolina to take care of her ill mother. These were supported by Ms. Green's verification that as of February of 2014, Judge Sanders did not provide SCAO with a new address and that she has been using a PO BOX for her mail. The records of the SOS also confirm that as of February 5, 2014, Judge Sanders had not filed a change of address.

The JTC also became aware that in September of 2013, Judge Sanders requested a long term leave from her position at the 36th District Court because she needed to undergo a double knee replacement surgery. Based on these representations, the leave was granted. Judge Sanders represented that the surgery was scheduled for October of 2013 and that she expected to return to work in January of 2014. The surgery has not been performed as of yet.

Next, the JTC became aware of a letter that Judge Sanders sent to US Attorney's Office, in which she alleged that the Michigan Supreme Court and the JTC are engaged in a conspiracy to "slander and defame" her. In the same letter, a copy of which is provided with this letter, Judge Sanders claimed that judges have been "murdered" for speaking out against "some of the wrongs that were being committed at the [36th District] court," and that she was almost named as a suspect by one of the major newspapers. Judge Sanders's claim also extended to the Wayne County Prosecutor's Office, the media, and Special Administrator, Michael Talbot and included assertions of wide ranging conspiracy that caused her eviction, her audit by the IRS and the City of Detroit Income Tax Division, the derogatory information appearing on her credit report and garnishment of her wages. Judge Sanders also claimed that Judge Zelenak "threatened" her when she attempted to report that the previous owner of her house was committing mail fraud, that Judge Talbot "threatened" her in her own courtroom, and that her email accounts, bank accounts and cell phone were hacked and "are being currently tracked." Judge Sanders also claimed that she had "proof" that her medical doctors were influenced by her employer "to the extent that [she] was medically harmed," and that although she is in need of medical

procedures, she had delayed them because she is afraid that she may not make it out of the operating room. Claiming that the "last event" took place in November of 2013, Judge Sanders advised the US Attorney's Office that had she obtained a concealed weapons permit (CCW permit) and carries a weapon for her protection.

Finally the JTC was provided with a copy of a report that Ms. Green received from the 25th District Court after Judge Sanders's February 12, 2014 appearance before Judge Zelenak for a garnishment hearing. The report indicated that Judge Sanders appeared at the hearing with three car loads of supporters, including two off-duty, armed, Detroit Police Officers. During the hearing, Judge Sanders also refused to provide and address other than her post office box. Finally, the report indicated that although Judge Sanders walked into the 25th District Court with a cane, she forgot it when leaving and was able to walk out without any assistance.

Based on this information, the JTC instructed the executive director to obtain a copy of Judge Sanders's letter from the US Attorney and to provide it to the Chief Justice, as well as the chief of security for the Court and Judge Michael Talbot, a Court of Appeals Judge whom the Supreme Court had appointed Special Judicial Administrator of the 36th District Court. Upon receiving a copy, Judge Talbot placed Judge Sanders on administrative leave. The JTC also directed Judge Sanders to supplement her comments addressing the allegations she made in her letter to the US Attorney's Office. Finally, the JTC authorized the executive director to contact Judge Sanders's attorney with a request that she submit to a mental and physical examination.

In her answers to the initial request for comments, Judge Sanders admitted to having a standing sequestration order in her court and to making it applicable to all testifying witnesses in all cases scheduled on the court docket for a particular day, regardless of whether the witnesses were to testify on that day or on any day in the future. Judge Sanders also admitted that her order included all police officers, other than the officer in charge of the case. As to the crime victims, Judge Sanders stated that they were included in her sequestration order until their testimony was taken, after which they were permitted to remain in the courtroom.

According to Judge Sanders, her sequestration order did not amount to a closure of the court, but was an "attempt to secure the integrity of the testimony" and to protect and benefit the criminal defendants that appeared before her. Judge Sanders claimed that the case law is "abundant" with sequestration order violations and errors by trial courts in failing to sequester witnesses," and that those cases supported her position that witnesses are susceptible to influence. Judge Sanders also claimed that based on her experience as an attorney and a judge, she had "observed witnesses proffer testimony similar to that of other witnesses in their own case *and in other cases*" (Emphasis provided). Judge Sanders stated that because she also believes that police officers are susceptible to suggestion, her sequestration policy extended to them as well. Judge Sanders argued that her order is supported by evidentiary rules as well as statutory and case law, and that the propriety of it should be reviewed through an appellate process rather than by the JTC.

As to her complaint against Judge Zelenak, Judge Sanders claimed that it was based on what she perceived to be suspicious conduct by Judge Zelenak while overseeing her landlord/tenant case. Judge Sanders argued that Judge Zelenak's conduct caused her "pause" and that although she "may not [have had] evidence of [her] allegations, [she felt] that the matter should be brought to the attention of the JTC for a determination as to

whether the allegations warrant an investigation." Judge Sanders claimed to have a duty, pursuant to MRPC 8.3 (b), to report a judge for a known violation of the Code of Judicial Conduct and that she believed that failure to bring it to the JTC's attention could be considered misconduct on her part. Judge Sanders disagreed that her allegations did not present a coherent recitation of the facts and accusations, and claimed that any confusion was "likely due to the fact that [she] had a working knowledge of the numerous events discussed and assumed that the reader would be able to follow."

Judge Sanders claims that although she did not have any direct evidence of a "conspiracy," she "believed" that there were enough "questions" to justify a federal investigation. As to the specific allegations contained in her letter, Judge Sanders provides the following explanations:

1. She claimed that there was "questionable activity" in her landlord/tenant case because Judge King circulated the case among the 36th District Court judges rather than immediately transferring it to the 25th District Court. This failure to transfer also caused her to "believe" that Judge King's intent in circulating the case was to embarrass her.
2. She alleged that Judge Zelenak was in "collusion with the Plaintiff" because of his denial of her motion to remove the landlord/tenant case to circuit court.
3. She claimed that Judge Zelenak intended to "harass and intimidate" her because advised her that she could be charged with mail tampering when she complained about her suspicions of fraudulent activity involving her home.
4. She alleged that Judge Zelenak "allowed" persons with firearms to enter her home at 115 Sand Bar Lane because she "recalled" that during a hearing on her objections to an order granting the Plaintiff's request for an inspection of, and repairs to, the premises, Judge Zelenak stated that the inspectors were allowed to be armed.
5. She alleged that the Michigan Supreme Court and the JTC are "slandering and defaming" her, because despite the confidentiality that is given to all RFI's filed with the JTC, she has "heard from people that they are "aware of her investigation." Judge Sanders contends that the fact that people are talking "suggests that there has been a disclosure of confidential information."
6. Judge Sanders admits that she has no specific facts in support of her allegations that the Republican Party is the "reason" for many of the events that had occurred to her, but claims that "upon information and belief," the firm of Viviano, Pagano & Howlett (counsel for the Plaintiff, PFG Mortgage) "may have contributed money to the republican party which "may" have contributed to the outcome of the case."

Next, Judge Sanders claims that based on her perceptions, she felt she was justified in carrying a weapon. She also states that she felt her safety was at risk due to several attempts by unknown individuals to enter her home while she was at work. She also states that on one occasions she saw footprints in the snow leading to her front door and on another occasion, her tires were slashed.

Although Judge Sanders claims that she obtained a CCW permit in mid-2013, which she admits was suspended by the gun board on March 12, 2014, she refuses to provide any information as to the type of weapon that she carries because she considers that information personal and not relevant.

With her supplemental answers, Judge Sanders included a form from a Dr. Gary G. Gilyard of Detroit Medical Center ("DCM"), dated January of 2014, stating that she was being seen for a "bilateral knee" and was to remain off work until she was re-evaluated on

March 10, 2013. Other than the form, however, Judge Sanders refused to provide any additional absence was for a double knee replacement surgery; whether the surgery was performed and if so, when; what was the medical treatment she had received since being placed on leave; and the current status of the knee replacement surgery. With each refusal, Judge Sanders asserted that the information sought was protected by HIPAA.

As to Judge Sanders's mental and physical examinations, Judge Sanders's counsel, Brian Einhorn, was notified of the JTC's decision in a March 11, 2014 letter. In the initial letter, Mr. Einhorn was also given the name and address of Dr. Norman Miller together with several dates which were being held open for Judge Sanders's mental examination. On March 17, 2014, Mr. Einhorn was provide the name of an orthopedic specialist, Dr. Stephen Mendelson, for Judge Sander's physical examination. On March 21, 2014, Mr. Einhorn confirmed that Judge Sanders's mental examination was scheduled with Dr. Miller for April 10, 2014.

On March 25, 2014, Mr. Einhorn's co-counsel, Colleen Burke ("Ms. Burke") advised that Judge Sanders's left knee surgery was scheduled for April 10, 2014, the date of her mental examination. Claiming that Judge Sander's examination with Dr. Miller. In the same email, she also remained that the physical examination, which had not yet been scheduled, needed to be conducted prior to the April 10, 2014 surgery.

Over the next several days, Dr. Mendelson's office, through his scheduling clerk Ms. Spezia, confirmed that Judge Sanders's physical examination was scheduled for Monday, March 31, 2014. On that date, however, Ms. Spezia notified the JTC's office that the examination was not conducted because, despite specific instructions, Judge Sanders failed to bring a copy of her medical records and x-ray films to the appointment.

In emails that followed, it became clear that Judge Sanders provided a completely different, and false, account to her attorney as to what happened at Dr. Mendelson's office on March 31, 2014. According to Judge Sanders, she arrived for her appointment with year old medical records from the offices of a Dr. Schmidt and a CD of her x-ray films from Dr. Gilyard. She also represented that she signed a medical release form and had a new appointment scheduled for April 17, 2014.

On April 14, 2014 an email was transmitted to Mr. Einhorn asking for a confirmation, that Judge Sanders's knee surgery took place as scheduled on April 10, 2014. On April 28, 2014, Mr. Einhorn advised the JTC that he had not heard from his client and was unsuccessful in his attempts to contact her. By April 28th, the offices of Dr. Miller and Dr. Mendelson also advised that they have had no contact with Judge Sanders.

Finally, on April 28, 2014, Mr. Einhorn was asked to have his client make a decision whether she was going to cooperate with the JTC's request for a mental and physical evaluation, and to provide definite appointment dates for each evaluation by May 9, 2014. On that date Ms. Burke confirmed that appointments had been made: May 21 with Dr. Miller and May 22 with Dr. Mendelson. Whether she keeps those appointments, of course, remains to seen.

As to her current residence, Judge Sanders provides 50 Adelaide in Detroit as her address and claims that she had filed the appropriate change of address forms with SCAO on January 13, 2014. Judge Sanders admits that she did not advise the Chief Judge of the 36th District Court of her change of address.

Scheduled Psychiatric Interview by Norman S Miller MD

Purpose: Psychiatric Evaluation

Judge Sanders failed to comply with scheduled psychiatric evaluations with Dr. Norman S Miller on the following days:

4/10/2014,
5/21/2014,
6/4/2014,
7/31/2014,
8/11/2014

Personal History:

Social History:

Could not obtain due to Interviewee's noncompliance.

Employment:

Could not obtain due to Interviewee's noncompliance.

Education:

Could not obtain due to Interviewee's noncompliance.

Family History:

Could not obtain due to Interviewee's noncompliance.

Marital History:

Could not obtain due to Interviewee's noncompliance.

Legal History:

Could not obtain due to Interviewee's noncompliance.

Medical History:

Could not obtain due to Interviewee's noncompliance.

Medication:

Could not obtain due to Interviewee's noncompliance.

Psychiatric History:

Could not obtain due to Interviewee's noncompliance.

Substance Use History:

Could not obtain due to Interviewee's noncompliance.

Mental Status Examination:

Could not obtain due to Interviewee's noncompliance.

DSM Formulation

Axis I: Psychotic Disorder NOS 298.9

Axis II: Personality Disorder NOS 301.9

Axis III: Could not obtain due to Interviewee's noncompliance.

Axis IV: Involvement with Judicial Tenure Commission.

Axis V: Could not obtain due to Interviewee's noncompliance.

Conclusions:

- A. At this point in my evaluation, I opine that Judge Sanders suffers from psychiatric symptoms that include psychotic delusions. These delusions are paranoid in nature where she believes irrationally that she is a victim of conspiracies and plots. As a result, she fears that she is in danger and is manipulated wrongly. Judge Sanders has carried a gun as a self-protection in response to these delusions. As a result of these delusions, Judge Sanders is a risk for dangerousness to harm self and others. Judge Sanders should be evaluated at any time in an emergency care setting if she shows imminent risk of dangerousness to warrant more emergent evaluations.
- B. Because of the current risk of dangerousness to self and others, I opine an urgency for Judge Sanders to be evaluated for psychiatric disorders and treated accordingly.
- C. I further believe that her avoidance of the mental examinations may be due to her psychosis.
- D. I further believe that Judge Sanders should not be sitting in judgment of anyone until she is determined to be free of the psychosis that renders her a danger to self and others.

Sincerely,

Norman S Miller MD JD PLLC
***Board Certification in Psychiatry, Neurology, Forensic Psychiatry, Addiction
Psychiatry***